



Texas Higher Education
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M E M O R A N D U M

September 1, 2017

To: Presidents, Chancellors, Reporting Officials, IR Officers, Liaisons (copied), Chief Academic Officers, Chief Instructional Officers, Chief Financial Aid Officers, and Registrars at Texas Public Institutions of Higher Education

From: David W. Gardner

RE: Timely Disbursement of Financial Aid Funds and Tuition Refunds

The information below pertains to the timely disbursement of financial aid and tuition refunds. Please don't hesitate to contact me at david.gardner@thehb.state.tx.us if the Coordinating Board can be of assistance on any other storm-related issues.

Timely Disbursement of Funds

The Timely Distribution of Funds section of the Administrative Code (Section 22.2) includes a Timely Disbursement expectation. This expectation requires institutions to disburse student financial aid funding (other than work-study) to a student recipient's account no later than three business days after receiving the funds. Undisbursed funds must be returned to the Coordinating Board no later than six business days after the receipt of funds.

For those institutions impacted by the storm (see list in attachment 1), the Timely Disbursement expectations will be adjusted as follows:

- Institutions impacted by the storm should disburse state student financial aid funding to a recipient's account as quickly as your operations will allow in light of the impact of Hurricane Harvey;
- Institutions impacted by the storm have 30 business days after the receipt of the funds to return undisbursed funds to the Coordinating Board.

This adjustment of the Timely Disbursement expectation will apply to all state financial aid funds disbursed to institutions by the Coordinating Board through September 30, 2017, after which, the current administrative code will apply.

Institutions on the attached list do not need to make a specific request to utilize the adjusted expectations. If your institution is not included on the list of schools located in affected areas, but did suffer disruption that will prevent you from meeting the standard timely disbursement expectations, please contact Charles Puls at Charles.Puls@theccb.state.tx.us or 512-427-6365.

Tuition Refunds at Two-Year Colleges

As per the memo sent on August 28, 2017, the Coordinating Board has allowed institutions affected by Hurricane Harvey and its aftermath to delay their Census Date and fall enrollment reporting for up to two weeks. Refund policies are tied to the Census Date for community/junior and technical colleges, which are required to collect minimum payments under Texas Administrative Code (TAC) 21.5 (see attachment 2). The Coordinating Board strongly encourages affected institutions to allow for more generous refund policies, as warranted. In addition, we hope that both affected and non-affected institutions will work individually with students who were directly impacted by the storm, should more flexibility be needed related to tuition refunds.

Note that, as related to TAC 21.4, regarding dates for reporting official enrollments to the Texas Higher Education Coordinating Board by community colleges and the collection of tuition from students who are counted for formula funding, fall 2017 is not part of a formula funding base year, which provides greater flexibility around reporting requirements for student enrollments. Institutions should contact Victor Reyna at Victor.Reyna@theccb.state.tx.us regarding reporting requirements should delays be anticipated as a result of students with special circumstances.

Tuition Refunds at General Academic Institutions (GAIs) - including Health-Related Institutions (HRIs)

As per the memo sent on August 28, 2017, the Coordinating Board has allowed institutions affected by Hurricane Harvey and its aftermath to delay their Census Date and fall enrollment reporting for up to two weeks and to adjust their 20th class days accordingly. Refund policies are tied to the 20th class day date for GAIs, which are required to collect minimum payments under Texas Education Code (TEC) 54.006 (see attachment 2). The Coordinating Board strongly encourages all institutions to consider more generous refund policies, as allowable by 54.006 (b-2) for students who were directly impacted by the storm.

Note that, regarding dates for reporting official enrollments to the Texas Higher Education Coordinating Board, fall 2017 is not part of a formula funding base year, which provides greater flexibility around reporting requirements for student enrollments. Institutions should contact Victor Reyna at Victor.Reyna@theccb.state.tx.us regarding reporting requirements should delays be anticipated as a result of students with special circumstances.

Institution Name	City
Alvin Community College	Alvin
Blinn College	Brenham
Brazosport College	Lake Jackson
Coastal Bend College	Beeville
College of the Mainland Community College District	Texas City
Del Mar College	Corpus Christi
Galveston College	Galveston
Houston Community College System	Houston
Lamar Institute of Technology	Beaumont
Lamar University and Lamar State Colleges	Beaumont; Orange; Port Arthur
Lee College	Baytown
Lone Star College	Houston
Prairie View A&M University	Prairie View
Sam Houston State University	Huntsville
San Jacinto College System	Pasadena; Houston
Texas A&M University	College Station
Texas A&M University at Galveston	Galveston
Texas A&M University-Corpus Christi	Corpus Christi
Texas A&M University-Kingsville	Kingsville
Texas Southern University	Houston
Texas State Technical College-Fort Bend	Rosenberg
Texas State University	San Marcos
Texas Woman's University (Houston Facilities)	Houston
The University of Texas Health Science Center at Houston	Houston
The University of Texas M.D. Anderson Cancer Center	Houston
The University of Texas Medical Branch at Galveston	Galveston
University of Houston System (all campuses)	Houston; Clear Lake, Victoria
Victoria College	Victoria
Wharton County Junior College	Wharton

Statutory and Rule Excerpts Related to September 1, 2017 Memorandum

Statutory Rules and Excerpts Related to General Academic Institutions and HRIs (medical and dental units)

Texas Education Code §54.006, REFUND OR ADJUSTMENT OF TUITION AND MANDATORY FEES FOR DROPPED COURSES AND STUDENT WITHDRAWALS, states:

(a) A general academic teaching institution or medical and dental unit, as soon as practicable, shall refund the amount of tuition and mandatory fees collected for courses from which students drop within the first 12 days of a fall or spring semester . . . The institution or medical and dental unit may not delay a refund under this subsection on the grounds that the student may withdraw from the institution or unit later in the semester or term.. . .

(b) Except as provided by Subsections (b-1) and (b-2), a general academic teaching institution or medical and dental unit shall refund from the amount paid by a student withdrawing from the institution or unit an amount equal to the product of the amount of tuition and mandatory fees charged for each course in which the student is enrolled on the date the student withdraws multiplied by the applicable percentage derived from the following tables:

(1) if the student withdraws during a fall or spring semester or a summer term of 10 weeks or longer:

(A) prior to the first class day	100 percent
(B) during the first five class days	80 percent
(C) during the second five class days	70 percent
(D) during the third five class days	50 percent
(E) during the fourth five class days	25 percent
(F) after the fourth five class days	None;

...

b-2) A general academic teaching institution or medical and dental unit may provide to a student withdrawing from the institution or unit a refund of a portion of the tuition and mandatory fees charged to the student by the institution or unit for the courses in which the student is enrolled on the date the student withdraws in an amount greater than the amount required by Subsection (b).

....

Texas Administrative Code § 21.4, Collection of Tuition, states:

(a) Unless a student's payment due date has been postponed due to pending disbursements of financial aid as described in subsection (b), of this section, the following conditions shall apply in the collection of tuition and/or tuition and fees at institutions of higher education and in the conducting of enrollment audits.

(1) ... *(see below pertaining to community colleges)*

(2) On or before the 20th class day for each regular semester and the 15th class day for each summer session, institutions other than community colleges shall collect from each student who is to be counted for state formula funding appropriations, the tuition and fees (mandatory and optional) established by state law or by the respective governing boards.

...

Statutory Excerpts applicable to Public Community/Junior and Technical Colleges

Texas Administrative Code § 21.4, Collection of Tuition

(a) Unless a student's payment due date has been postponed due to pending disbursements of financial aid as described in subsection (b), of this section, the following conditions shall apply in the collection of tuition and/or tuition and fees at institutions of higher education and in the conducting of enrollment audits.

(1) On or before the dates for reporting official enrollments to the Texas Higher Education Coordinating Board each enrollment period, each community college shall collect in full from each student that is to be counted for formula funding purposes the amounts set as tuition by the respective governing boards.

(2) . . . *(see above pertaining to GAIs)*

TAC §21.5, Refund of Tuition and Fees at Public Community/Junior and Technical Colleges

(a) A community/junior or technical college, as soon as practicable, shall **at a minimum** refund mandatory fees and tuition in excess of the minimum tuition collected for courses from which the students drop or withdraw, according to the following schedule. For courses which meet on what the college considers a regular schedule, class days refer to the number of calendar days the institution normally meets for classes, not the days a particular course meets. For courses which meet on an unusual or irregular schedule, the college may exercise professional judgement in defining a class day. The indicated percentages are to be applied to the tuition and mandatory fees collected for each course from which the student is withdrawing. The college may not delay a refund on the grounds that the student may withdraw from the institution or unit later in the semester or term. The institution may assess a nonrefundable \$15 matriculation fee if the student withdraws from the institution before the first day of classes.

(1) Coordinating Board approved semester-length courses for which semester credit hours are awarded:

(A) A 100% refund is to be made for courses dropped prior to the **first class day**.

(B) During the fall or spring semester or comparable trimester:

(i) during the first **15 class days**, 70%;

(ii) during the **16th through 20th class days**, 25%;

(iii) after the **20th class day**, none; and

(C) Six-week summer semester:

(i) during the **first five class days**, 70%;

(ii) during the **sixth and seventh class days**, 25%;

(iii) after the **seventh class day**, none.

...